



Attorney Docket No. 1908-95650

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rothman, Steven M.

For: SYSTEM AND METHOD FOR COOLING THE
CORTEX TO TREAT NEOCORDICAL
SEIZURES

Serial No.: 09/905,715

Filed: May 4, 2001

Examiner: R. Gibson

Group Art Unit: 3739

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, DC 20231

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AFFIDAVIT UNDER 37 CFR § 1.131

Steven M. Rothman, M.D. having been duly sworn upon his oath, deposes and states as follows:

1. I am currently a physician and research scientist at Washington University in St. Louis.
2. I conceived of the invention disclosed in my patent application prior to the effective date of the reference cited by the Examining Attorney, Patent No. 6,248,126 to Lesser et al., with an effective date of January 12, 1998, and diligently reduced to practice the invention thereafter.
3. I had conceived of the invention disclosed in my application as evidenced by a purchase order dated May 22, 1997 for cooling devices that were used in my reduction to practice soon thereafter.

Further Affiant Sayeth Not.

Steven M. Rothman

Steven M. Rothman, M.D.

STATE OF Missouri)
COUNTY OF St. Louis) SS:

Before me, a notary public, personally appeared Steven M. Rothman, M.D. on the 4 day of April, 2003, and being duly sworn, stated that the facts contained in the foregoing Affidavit are true and correct to his best knowledge, information and belief.

Loretta Johnson
Notary Public

My Commission Expires: 1-4-06

